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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MidFirst Bank, a federally chartered savings
association,

Plaintiff,

v.

Joseph Leynard Smith, an individual and
Yolanda Denise Smith, an individual,

Defendants.

Case No.: 2:12-cv-00974-GMN-PAL

**STIPULATION AND ORDER TO
CONTINUE BRIEFING SCHEDULE AND
PRETRIAL ORDER DATE**

(Fourth Request)

STIPULATION

Plaintiff MidFirst Bank, ("MidFirst") and Defendants Joseph Leynard Smith and Yolanda Denise Smith (the "Smiths") (collectively, the "Parties") through their respective counsel of record stipulate as follows:

1. The Parties have reached a settlement in principle;
2. The Parties anticipate that drafting and executing all settlement documents may take several weeks;
3. In the unlikely event that a formal settlement is not completed the parties seek to extend the briefing schedule to avoid any potential prejudice; ACCORDINGLY
4. The Parties agree to continue the current briefing schedule as follows:

...

Midfirst's Reply and Opposition re: Motions for Summary Judgment: May 21, 2013; and

Joint Pretrial Order Deadline: July 26, 2013.

5. **IT IS SO STIPULATED.**

LIONEL SAWYER & COLLINS

GORDON SILVER

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Attorneys for Joseph and Yolanda Smith

DATED this 15th day of May, 2013.

DATED this 15th day of May, 2013.

ORDER

In the Stipulation (ECF No. 33) filed before the Court on May 15, 2013, the parties have indicated that they reached a settlement in principle, and have requested an extension of the Joint Pretrial Order deadline and the briefing deadlines for the currently pending Motions for Summary Judgment (ECF Nos. 18, 26).

Accordingly,


IT IS HEREBY ORDERED that the request to extend the briefing deadlines is **DENIED**.

IT IS FURTHER ORDERED that, pursuant to the parties' settlement in principle, the Motions for Summary Judgment (ECF Nos. 18, 26) are **DENIED without prejudice**.

IT IS FURTHER ORDERED that the request to extend the Joint Pretrial Order deadline to July 26, 2013, is **GRANTED in part, and DENIED in part**, as follows. **The Joint Pretrial Order deadline is extended to thirty (30) days after the Court's ruling on all dispositive motions.**

DATED this 16th day of May, 2013.

Submitted by
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Gloria M. Navarro
United States District Judge